

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Anthony Riggins,

Plaintiff,

v.

Case No. 1:01cv503

Forrest E. Hunt, III, et al.,

Judge Michael R. Barrett

Defendants.

ORDER

On November 16, 2006, Defendant Forrest E. Hunt, III filed a Notice of Appeal in the within action. (Doc. 184) However, Defendant/Appellant Hunt has failed to pay the \$455 filing fee or to submit an application and affidavit to proceed on appeal without prepayment of fees. (Doc. 188)

It is therefore **ORDERED** that Defendant Hunt submit an application and affidavit to proceed without prepayment of fees or pay the full filing fee of \$455 within **thirty (30)** days of the date of this Order. If Defendant/Appellant fails to comply with this Order, the Court of Appeals may dismiss the appeal for want of prosecution pursuant to Fed. R. App. 3(a). A copy of this Order shall be sent to the Clerk of the Sixth Circuit Court of Appeals.

Also pending before the Court is Plaintiff's Motion for Order Providing Defendant with a Deadline to Pay the Appeal Filing Fee (Doc. 192). Based on the foregoing, Plaintiff's Motion (Doc. 192) is **DENIED as MOOT**.

IT IS SO ORDERED.

/s/ Michael R. Barrett

Michael R. Barrett, Judge
United States District Court